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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,996	11/14/2003	Hsin-Mao Hsieh	BHT-3183-59	7364

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TROXELL LAW OFFICE PLLC
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FALLS CHURCH, VA 22041

EXAMINER

PAYNE, SHARON E

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 02/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No.	Applicant(s)	
	10/706,996	HSIEH, HSIN-MAO	
	Examiner	Art Unit	
	Sharon E. Payne	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

Claim Objections

2. Claims 1-9 are objected to because of the following informality: the phrase "installed an appropriated position inside the lamp body" should probably be "installed in a position inside the lamp body" in line 4 of claim 1. Claims 2-9 are necessarily included due to their dependency. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 4, 7, 8 and 9 are rejected under 35 U.S.C. 102(a) as being anticipated by JP 2003257234 (hereinafter "Sanaa").

Regarding claim 1, Sanaa discloses a lamp body (Fig. 1) having a lamp base (bottom of Fig. 1), a lamp arm (vertical portion in middle of Fig. 1) and a lampshade (top portion of Fig. 1), and a negative ion generator (English abstract) having an air outlet

plane (reference number 17) on an internal wall inside the lamp body (Figs. 1 and 3) and installed inside an appropriate position inside the lamp body (Fig. 3).

Concerning claim 4, Sanaa discloses the negative ion generator (portion to the left of reference number 17 inside the lamp in Fig. 3) having a plurality of connecting portions (crosshatched portions inside the lamp to the top side of reference number 18 and the bottom side of reference number 17) at two sides of the air outlet plane (reference number 17, Fig. 3).

Concerning claim 7, Sanaa discloses the negative ion generator being installed on the internal wall inside the lampshade (Fig. 1 and portion to the left of reference number 17 in Fig. 3).

Regarding claim 8, Sanaa discloses the air outlet plane (reference number 17) being attached on the internal wall (Figs. 1 and 3).

Concerning claim 9, Sanaa discloses the lampshade defining a light region (Fig. 6), the air outlet plane (reference number 17) being toward the light region (Fig. 6c).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanaa in view of Partridge (U.S. Patent 6,118,645).

Regarding claim 2, Sanaa does not disclose a fan. Partridge discloses a fan connected with the negative ion generator (abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the fan of Partridge in the apparatus of Sanaa to conduct the charged particles out of the casing. See the abstract of Partridge.

Concerning claim 3, Sanaa does not disclose a fan. Partridge discloses the fan having a plurality of connecting portions (portions on the top and bottom of the blades, Fig. 2) for fixing the fan through the negative ion generator (Fig. 1, abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the fan of Partridge in the apparatus of Sanaa to conduct the charged particles out of the casing. See the abstract of Partridge.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sanaa.

Regarding claim 5, Sanaa does not disclose putting the negative ion generator inside the lamp base.

Installing the negative ion generator on the internal wall inside the lamp base is considered to be an obvious variation. Since the ion generator is well known in the art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to install the ion generator inside the lamp base to enable one to use a heavier or more complicated ion generator, since such rearrangements of parts require only routine skill in the art. See M.P.E.P. 2144.04.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sanaa in view of Moeller et al. (U.S. Patent 5,241,449).

Regarding claim 6, Sanaa does not disclose the negative ion generator being installed on the internal wall inside the lamp arm. Moeller et al. discloses the negative ion generator (reference number 20) being installed on the internal wall inside the lamp arm (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Moeller et al. in the apparatus of Sanaa to enable one to screw in the ion generator into an ordinary lamp used in a home. See the abstract of Moeller et al.

Conclusion

9. The references made of record and not relied upon are considered pertinent to applicant's disclosure.

JP 2004241326 A (hereinafter "Nikko Kikai") discloses a lamp with an ion generator. Please note that this is not prior art because it was not published until August 26, 2004.

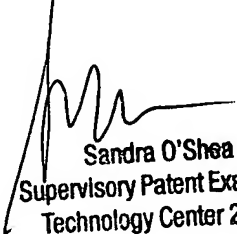
JP 20004127865 A (hereinafter "Hitachi Lighting") discloses a lamp with an ion generator and a fan. Please note that this is not prior art because it was not published until April 22, 2004.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Payne whose telephone number is (571) 272-2379. The examiner can normally be reached on regular business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sep


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